



Ninety-Seventh Legislature - First Session - 2001
Committee Statement
LB 735

Hearing Date: 3/7/2001
Committee On: Judiciary

Introducers: (Hartnett)
Title: Authorize motions to quash and demurrers on account of improper venue

Roll Call Vote – Final Committee Action:

Advanced to General File
Advanced to General File with Amendments
X Indefinitely Postponed

Vote Results:

8	Yes	Senators Baker, Bourne, Brashear, Chambers, Connealy, Pedersen, Robak, Tyson
	No	
	Present, not voting	
	Absent	

Proponents:
Senator Paul Hartnett
John Higgins

Representing:
Introducer
Sarpy County Attorney's Office

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Legislative Bill 735 addresses procedural motions on indictment.
A motion to quash may be made "when there is a defect apparent upon the face of the record." If the motion is granted, the court "voids" or "annuls" the indictment or information.
An accused may demur when the stated facts in the indictment do not constitute a punishable offense or when, if necessary to prove the offense, the intent is not alleged.
LB 735 authorizes motions to quash and demurrers based on improper venue.

Senator Kermit A. Brashear, Chairperson
